

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

United States District Court
Southern District of Texas
FILED

NOV 08 2016

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

JESUS MURILLO

MARELLA SANDOVAL

MIGUEL CERVANTES, **JR** (11/21/2016 cr)

MARIANO EBERTH GARCIA

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Criminal No.

M-16-1612

SEALED INDICTMENT

THE GRAND JURY CHARGES:

Count One

On or about October 17, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

JESUS MURILLO

who was then under indictment for a crime punishable by imprisonment for a term exceeding one year, namely, in the 400th District Court of Fort Bend County in Richmond, Texas, on June 8, 2015, in cause number 15-DCR-069545, for Possession with Intent to Deliver a Controlled Substance, did knowingly and unlawfully receive a firearm, namely, a Kel-Tec, Model P3AT, .380 caliber pistol; a Rock Island Armory, Model M1911-A1 FS, .38 Super caliber pistol; a IO Inc., Model Sporter, 7.62 caliber rifle; and a Remington, Model 700, .308 caliber rifle, which had been shipped or transported in interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 922(n) and 924(a)(1)(D).

Count Two

On or about October 9, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MARELLA SANDOVAL
and
JESUS MURILLO

knowingly made a false statement and representation with respect to information required to be kept in the records of Forza Armory, LLC, in Edinburg, Texas, a federally licensed firearms dealer, in connection with the acquisition of three (3) Romarm/Cugir WASR-10 7.62 caliber rifles, in that the defendant, MARELLA SANDOVAL, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MARELLA SANDOVAL was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MARELLA SANDOVAL, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(~~2~~)^{(1)(a)}, and 2.

Count Three

On or about September 4, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MIGUEL CERVANTES
and
JESUS MURILLO

knowingly made a false statement and representation with respect to information required to be kept in the records of Danny's Pawn and Sporting Goods, in McAllen, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) TGI Sporter 75 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.^{(1)(a)}

Count Four

On or about September 4, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL CERVANTES
and
JESUS MURILLO**

knowingly made a false statement and representation with respect to information required to be kept in the records of Forza Armory, LLC, in Edinburg, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) American Tactical AK47 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

Count Five

On or about September 4, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL CERVANTES
and
JESUS MURILLO**

knowingly made a false statement and representation with respect to information required to be kept in the records of 44 Firearms, LLC, in McAllen, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) Century Arms WASR-10 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm

described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

Count Six

On or about September 4, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL CERVANTES
and
JESUS MURILLO**

knowingly made a false statement and representation with respect to information required to be kept in the records of Glick Twins, in Pharr, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) American Tactical Import AT47 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

Count Seven

On or about September 4, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL CERVANTES
and
JESUS MURILLO**

knowingly made a false statement and representation with respect to information required to be kept in the records of Resilient Defense Systems, in McAllen, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) Arsenal SAM7UF 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2) and 2.

Count Eight

On or about September 28, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL CERVANTES
and
JESUS MURILLO**

knowingly made a false statement and representation with respect to information required to be kept in the records of Forza Armory, I.I.C, in Edinburg, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) InterOrdinance AKM247C 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

Count Nine

On or about September 28, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL CERVANTES
and
JESUS MURILLO**

knowingly made a false statement and representation with respect to information required to be kept in the records of Danny's Pawn and Sporting Goods, in McAllen, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) Century Arms N-PAP M70 7.62 caliber rifle, in that the defendant, MIGUEL CERVANTES, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MIGUEL CERVANTES was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MIGUEL CERVANTES, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

Count Ten

On or about September 28, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

MARIANO EBERTH GARCIA

knowingly made a false statement and representation with respect to information required to be kept in the records of Danny's Pawn and Sporting Goods, in McAllen, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) Romarm/Cugir WASR-10 7.62 caliber rifle and one (1) Zastava N-PAP M70 7.62 caliber rifle, in that the defendant, MARIANO EBERTH GARCIA, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form

4473, that MARIANO EBERTH GARCIA was the actual buyer of the firearms described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MARIANO EBERTH GARCIA, was not the actual buyer of the firearms.

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

Count Eleven

On or about September 29, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

MARIANO EBERTH GARCIA

knowingly made a false statement and representation with respect to information required to be kept in the records of Forza Armory, LLC, in Edinburg, Texas, a federally licensed firearms dealer, in connection with the acquisition of two (2) Izhmash Saiga 7.62 caliber rifles, one (1) F.N.H. SCAR 17S 7.62 caliber rifle, and one (1) American Tactical Import AT-47 7.62 caliber rifle, in that the defendant, MARIANO EBERTH GARCIA, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MARIANO EBERTH GARCIA was the actual buyer of the firearms described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MARIANO EBERTH GARCIA, was not the actual buyer of the firearms.

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

Count Twelve

On or about September 29, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

MARIANO EBERTH GARCIA

knowingly made a false statement and representation with respect to information required to be kept in the records of Glick Twins, in Edinburg, Texas, a federally licensed firearms dealer, in

connection with the acquisition of one (1) Century Arms RAS-47 7.62 caliber rifle, in that the defendant, MARIANO EBERTH GARCIA, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MARIANO EBERTH GARCIA was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MARIANO EBERTH GARCIA, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

Count Thirteen

On or about September 30, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

MARIANO EBERTH GARCIA

knowingly made a false statement and representation with respect to information required to be kept in the records of Southwest Hay & Feed, in Mission, Texas, a federally licensed firearms dealer, in connection with the acquisition of one (1) American Tactical AT-47 7.62 caliber rifle, in that the defendant, MARIANO EBERTH GARCIA, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that MARIANO EBERTH GARCIA was the actual buyer of the firearm described above, when in truth and fact the defendant knew that those statements and representations were false and that defendant, MARIANO EBERTH GARCIA, was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

NOTICE OF FORFEITURE
18 U.S.C. § 922(n)

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), the United States gives notice to defendant,

JESUS MURILLO

that upon conviction of a violation of Title 18, United States Code, Sections 922(n) or 922(a)(6),
all firearms and ammunition involved in said violation are subject to forfeiture, including but not
limited to the following:

1 Kel-Tec, Model P3AT, .380 caliber pistol;
1 Rock Island Armory, Model M1911-A1 FS, .38 Super caliber pistol;
1 IO Inc., Model Sporter, 7.62 caliber rifle;
1 Remington, Model 700, .308 caliber rifle;
100 rounds of .38 Super caliber ammunition
19 rounds of .308 caliber ammunition
1 .38 Super caliber magazine

A TRUE BILL.

FOREPERSON

KENNETH MAGIDSON
UNITED STATES ATTORNEY



ASSISTANT UNITED STATES ATTORNEY